

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q88042

Jean BEGUINOT, et al.

Appln. No.: 10/535,305

Group Art Unit: 1793

Confirmation No.: 3751

Examiner: Jessee Randall ROE

Filed: February 8, 2006

For: METHOD FOR MAKING AN ABRASION RESISTANT STEEL PLATE AND PLATE OBTAINED

**RESPONSE TO RESTRICTION REQUIREMENT**

**MAIL STOP AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This responds to the Restriction Requirement, dated May 9, 2008. In response to the Restriction Requirement, Applicants elect Group I, claims 1-7 for examination. This election is made with traverse.

The Examiner indicates that restriction is proper in this case because the identified common technical feature under PCT Rule 13.2 is shown in the prior art, e.g., in USP 5,714,116 (Beguinot). This analysis is incorrect. There is a patentable distinction between the chemical composition of the present invention and that of Beguinot.

In Beguinot, Ti and Zr content are less than 0.3%. In the present invention Ti + Zr/2 have to be between 0.35% and 1.1%, this distinction appearing in the current claims.

Moreover, as explained in the second paragraph of the present specification, the purpose of the present invention is to solve cutting and welding problems with the steels according to EP 0 739 993 (corresponding to U.S. 5,714,116 to Beguinot).

Accordingly, the common technical feature of the invention is not disclosed by the prior art, and indeed the invention was conceived with the purpose of overcoming the difficulties of the identified prior art. For this reason, the PCT unity of invention rules are satisfied and restriction is not permitted in this case.

Applicants reserve the right to file a Divisional Application directed to non-elected claims.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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